

1. THE NEW LAND

Land was plentiful in the New World, and fertile, but without a large number of laborers to fell trees and work the soil, it was as useless as a desert. Few new settlers could afford to hire a work force of free men, nor could they afford to buy slaves. Of the several schemes employed to entice workers to the colonies, none worked so well as the system of indentured servitude, which established itself almost as soon as the first colonists landed.

The earliest surviving indenture contract is dated 1619, when four owners of a Virginia plantation signed an agreement with Robert Coopy, of Gloucestershire, England. Coopy promised "faythfully to serve . . . for three years from the day of his landing in the land of Virginia" in return for his benefactors' promise to "transport him (with gods assistance) with all convenient speed into the said land of Virginia at their costs and charges in all things, and there to maintayne him with convenient diet and apparell meet for such a servant, And in the end of the said terme to make him a free man of the said Cuntry . . . And to grant to the said Robert thirty acres of land within their Territory . . ."

The system caught on immediately, and by 1625 there were 487 indentured servants out of a population of 1,227 in the Virginia Company. During the next decade the wording of indenture contracts became fairly uniform, and by 1636, printed forms were available with blank spaces for the names of the servant and master and the details of the contract.

Indentured servitude grew as thousands of men and women in England crammed into cities competing for the few low-paying jobs open to them and for a precariously short food supply. Religious and political pressures, aggravated by famine and disease, made people restless and receptive to the prospect of a better existence elsewhere. Handbills and broadsides written by promoters (many of whom had never been to America) to stimulate migration painted the rosiest possible picture of the American colonies, promising abundant land for all and high wages for craftsmen. They neglected to mention the hardships of living in the still-wild country. As the colonies grew, those who had already made the transition sent tantalizing letters home. Robert Parke wrote to his sister in 1725, "There is not one of the family but what likes the country very well and would if we were in Ireland again come here directly; it being the best country for working folk and tradesmen in the world." With such encouragement, "emigration fever" swept through Europe, keeping ships filled with would-be settlers. Those who could afford to do so paid their own passages, arriving in the colonies as free men. Thousands more, with a yearning for the colonies, but no gold in their pockets to pay for the trip, were satisfied by enterprising colonists willing to invest in their passage and maintenance in return for several years of labor.

These early capitalists usually hired an agent (a ship

captain was a frequent choice, as were merchants who traveled between the two continents) to contact discouraged workers in England and sign them on as indentured servants. An agreement written in duplicate on a large sheet of paper was signed by both master and servant, then "indented" or cut, in two—one copy for each party. The terms of the contract seldom varied; besides transporting the servant, the master agreed to feed, clothe, and house him for a certain number of years, usually between four and fourteen. At the end of the stipulated time, he was to pay the servant with a small stake and his freedom. Details of the treatment the servant could expect, the rules governing his life, and the freedom dues were rarely set down in writing. They were, instead, to be "according to the custom of the country," which could change with the prosperity, or the personality, of the master.

It was soon evident that great profits were to be made, and many a "middle man" turned professional agent and combed the cities and farm regions in England for men and women willing to become bound servants. He signed their indentures as master and transported them, a shipload at a time, to the colonies. The total cost, including transportation and a few pieces of clothing per person, was seldom more than £10 per head. In the colonies the agent could count on getting £15 to £30 for each servant "set over." (The word sell was consciously avoided when it referred to white men, yet the new owner bought a servant in much the same way he bought a slave.)

Substantial profits to be made in the servant trade led to notoriously deceitful, as well as illegal, methods of recruitment. Agents came to be known as "spirits," with reputations for having no qualms about lying to a man or getting him so drunk that he would put his mark on any piece of paper shoved in front of him. If lies and gin didn't work, a whack on the head usually would. Many men and women were forced to the ship and shoved into the hold not to see daylight again until the shores of England were out of sight.

Public outrage over such forced migration, particularly when it involved children, spurred Parliament to enact laws that protected the citizen from the spirits and, at the same time, protected the honest agent from false accusations of kidnapping by a servant with second thoughts about honoring his indenture. Agents and servants were required to sign the contract before a magistrate, a registry of servants being transported to the colonies was kept, and in some cases, outbound ships were searched so that any passengers with a change of mind could return home. Although these measures were not entirely successful, they helped ensure that most men and women who bound themselves as servants and sailed for America did so because they wanted to.

The English Parliament used indentured servitude to rid the country of vagrants roaming England in that

2. Colonists in Bondage

**JUST ARRIVED, in the Ship JOHN, Capt. ROACH,
from DUBLIN,
A NUMBER OF HEALTHY, INDENTED
MEN and WOMEN SERVANTS:**
AMONG THE FORMER ARE,
A Variety of TRADESMEN, with some good FARMERS,
and stout LABOURERS: Their Indentures will be disposed of,
on reasonable Terms, for CASH, by
GEORGE SALMON.



Many Europeans could afford to come to America only by offering themselves as indentured servants or redemptioners. Newspaper advertisements like the one above regularly announced the arrival of indentured servants.

time of social upheaval. Frequently these rootless vagabonds were farmers who had been dispossessed of their lands; and unable to find work, they turned in desperation or bitterness to lives of petty crime and theft. Convicted criminals, many from Newgate Prison, were sent by the state to the colonies as bound servants. Most had a choice of sorts: hanging or America. America was the favored alternative. Prior to 1717, forced exile did not exist in England, but convicts who would ordinarily be sentenced to die (and a large number of minor crimes were punishable by that harsh sentence) could be pardoned on condition that they leave the country. After 1717, most offenders could be legally transported to America or the West Indies as indentured servants for not less than seven years.

Besides clearing out overcrowded English jails, bondage supplied much needed labor for the colonies. Of the prisoners convicted at Old Bailey from 1729 to the American Revolution, at least 70 percent were sent to America. Such deportation of criminals did not win favor with colonists who likened it to having England "emptying their jakes (privies) on our tables." Maryland

and Virginia, destinations for most criminal-immigrants, passed restrictive laws forbidding convict ships to land, but such laws were quashed by the British crown. Although they complained bitterly, colonists desperate for cheap labor could not afford to be too particular about the past indiscretions of available servants: convict indentures never lacked buyers. About 30,000 convicts (in reality a small part of those who arrived under indenture) were transported to the colonies, many for petty crimes.

Whether the ships crossing the Atlantic were filled with convicts or willing bondsmen, they were filled to overflowing. As many as 800 persons might be crowded aboard a single vessel, and even the smaller ships often carried 200 or 300 people. One ship, measured for a safe load of 223, made the crossing with 322 on board; when criticized, the ship owner claimed his craft was far less crowded than many others.

Except for the convict ships, servants rarely had to endure the horrors common on slavers. Still, the voyage was unpleasant at best. Food supplies were as limited as space, and although ships were usually provisioned for a twelve-week voyage, many crossings delayed by bad weather or poor navigation ended as the last rations of wormy food and rancid water were being handed out. Less fortunate voyagers came to the end of provisions before they sighted land.

Ship captains were notoriously neglectful of cleanliness. Even when they did periodically wash out the ship with vinegar, the vessels were normally steeped in filth. Jammed into cargo holds with few sanitary facilities, the mass of passengers suffered from diseases and sickness made worse by the lack of ventilation. Although they were free to go above deck for fresh air during fair weather, when rough seas or stormy skies threatened, all were sent below the battened-down hatches. One German immigrant cataloged the suffering of fellow passengers during a 1751 crossing as "terrible misery, stench, fumes, horror, vomiting, many kinds of seasickness, fever, dysentery, headache, heat, constipation, boils, scurvy, cancer, mouth-rot, and the like." Another voyager reported that "we had enough in the day to behold the miserable sight of blotches, pox, others devoured with lice til they almost at death's door. In the night fearful cries and groaning of sick and distracted persons. . . ."

By the time the servants reached the colonies they were dirty, sick, and weak. Those with prearranged indentures were taken off the ship by their new masters, while those indentured to agents were readied for sale. Fresh clothing, clean water, and good food were enough to erase most of the visible ill effects of the voyage, and within a few days the cargo was ready for sale. Newspaper advertisements or broadsides announced the arrival of "a number of healthy indented men and women servants . . . a variety of tradesmen, good farmers, stout

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laborers . . . whose indentures will be disposed of, on reasonable terms, for cash."

The buyers arrived on the day of the sale, and the servants were brought out for inspection. Strong young

RUN away the 27th of *August* last, from *James Anderson* Minister of the Gospel in *Danial*, in the County of *Lancaster* in *Pennsylvania*, a *Servant Man* named *Hugh Wier*, aged about 30 Years of a middle Stature and fresh Complexion, sandy Beard, and short dark brown Hair, he went off very bear in Cloathing, and is supposed to have got himself drefs'd in *Indian Habit*, (He having been used among *Indians*, when he run away from other Masters before) He is by Trade a *Flax-dresser*, *Spinster* and *Woolcomber*, and it is supposed he can Weave; He also does most sort of *Women Work*, such as washing of Cloaths or Dishes, milking of Cows, and other Kitchen Work, and usually changes his Name, Whoever takes up said *Servant* and secures him either in this or any of the neighbouring Provinces and let his Master know of it, by Post or other-ways, so as his said Master may have him again, shall have *Three Pounds* as a Reward, and all reasonable Charges paid by me,

James Anderson

Advertisement for a runaway indentured servant in the "American Weekly Mercury" of Philadelphia, December 14, 1733.

men, skilled workers, and comely women sold quickly, but the sick or old were harder to dispose of, and at times were given away as a bonus with more desirable servants. In later years, it was not uncommon for one buyer to purchase the indentures of all, or a large part, of the human cargo. These "soul-drivers" loaded their merchandise on wagons and drove through the countryside selling it door-to-door the way the drummer sold sewing needles.

A Pennsylvania soul-driver named McCullough got more than he bargained for when he bought a group of servants in Philadelphia and began a circular swing through the farmlands and towns of the backcountry. He sold all but one of the servants, an Irishman whose rowdy behavior frightened away any potential buyers. The two men stayed one night at an inn but the Irishman woke early and, passing himself off as the master, sold McCullough—still asleep upstairs—to the innkeeper. Before he left the inn he warned the innkeeper that his newly acquired servant was a clever rascal, fond of telling lies and even of persuading gullible people that he was the master.

There were other passengers on those ships who found their way into servitude, although they had not begun their voyages with that in mind. Whole families of German and Swiss immigrants left home to build new lives in the American colonies, making their way down the Rhine to book passage in Rotterdam. But overly-enthusiastic recruitment pamphlets didn't mention the opportunists who overcharged for provisions along the route, or the long waits at the docks until space could be found on some America-bound vessel. Many found that

their money would not stretch far enough to pay their passage. An agent, merchant, or ship captain would step forward to advance the money needed for the voyage, granting the prospective colonist a period of time, usually two weeks, to raise the balance due when he arrived in the colonies. Some managed to find friends or relatives to redeem them, or had the good fortune to fall into the hands of one of the relief societies set up by their countrymen for the unwary victims. Many did not and so, to repay the agent, were sold into servitude. The redemptioner was in no position to quibble over the terms of his indenture, and often had to accept a situation no willing servant would have agreed to before leaving home.

Willing servant, transported convict, or disappointed redemptioner—once bound to a master he was his property, like his house, or horse, or slave. Yet his status was a curious mixture of slave and free man. His services could be bought or sold, rented or even inherited, but the terms of his contract remained the same under each master. He could own property but could not engage in trade. Marriage without his master's consent was strictly forbidden, and fornication and illegitimate pregnancy were serious offenses. Runaway servants were tracked down like runaway slaves and punished just as severely, although a white complexion made eluding capture much more possible. Posters and advertisements offered rewards for their return and warned of the consequences of harboring fugitives. Corporal punishment, including whipping, was accepted practice, often accompanied by a punishment even more hated: the addition of months or even years to the indenture period. A thwarted runaway could expect one month to be added to his term for every week he was gone. Sometimes the extension was confirmed with a whipping or the gift of a heavy iron collar engraved with the master's initials.

But indentured servants were not black slaves—they were white and Christian and as such had an edge over their African counterparts. The most important difference was the right to petition the courts against abuse, a right that was exercised freely and frequently.

At first, the rules regulating the lives of the servants and their treatment were governed by local custom. As the number of servants soared, many of these customs were incorporated into law. Any servant who felt his master was defying a 'custom of the country' or breaking a law could visit the local magistrate and file a petition of grievance.

In 1700, Catherine Douglas of Lancaster County, Virginia, learned that the courts would listen to and judge a case impartially, without bias against a penniless bonded servant. She filed a petition claiming that in England she had signed a four-year indenture with John Gilchrist in exchange for her passage, Gilchrist in turn sold her to Mottron Wright for a seven-year term. Although her own copy of the indenture had been de-

stroyed, Catherine was able to produce three witnesses who testified that they had seen the original and that it had indeed specified four years. Wright argued that his seven-year contract had to be upheld, but the court decided in Catherine's favor; she was set free after serving her four years.

Until the middle of the 17th century, when laws governing black slavery began to be passed, Africans were also imported into the colonies under indenture. Until then, and occasionally after, redress was afforded blacks through the courts. In 1691, a Stafford County, Virginia, court heard an unusual case when black servant Benjamin Lewis petitioned for his freedom, claiming that before leaving England he had been indentured for four years. His term was over but his master refused to set him free, saying that as a Negro, Lewis was not a servant but a slave. The master produced another indenture signed by Lewis for a fourteen year term, but admitted it had been written while the first contract was still in effect. The jury ruled that the original contract was valid and proclaimed Lewis a free man.

Most cases brought before the courts by servants dealt with poor treatment and physical abuse. As with black slaves, the treatment of bonded servants was as varied as the personalities of their masters. Most were dealt with fairly and well, for humanitarian as well as practical reasons, but for some servants, life became a nightmare. Elizabeth Sprigs, indentured in Maryland, wrote of "toiling day and night, and then [being] tied up and whipped to that degree you would not beat an animal, scarce anything but Indian corn and salt to eat and that even begrudged." Some observers reported that when white servants worked side by side with black slaves, the slaves were often fed better and treated with more care since they represented a life-time investment.

The relatively minor charge of providing insufficient clothing was brought against William Miller by his servant William Hust. Court officials in Spotsylvania, Virginia, heard the case in 1758 and issued detailed orders to Miller. "The said Miller [shall] give him one cotton and kersey jacket and britches, 3 Ozanb shirts and sufficient diet and 1 pair of shoes and stockings, 1 hat. . . ." Usually the court found it adequate to reprimand the master and instruct him to properly provide for his servant.

A more serious charge was filed against plantation owners Francis Leaven and Samuel Hodgkins. Their

servant, John Thomas, had committed some minor offense, and for punishment, the two hung him up by his hands and placed lighted sticks between his fingers, permanently injuring his hands. The court awarded Thomas not only his freedom, but 5,000 pounds of cotton from each of the masters, who were jailed for the assault.

Most indentured servants lived out their indenture periods without having need to petition the courts, and without the inclination to abscond. They worked hard, as did the free settlers, often learning a trade and gaining valuable experience. When their indenture period ended, freedom dues helped them begin life as free men. The dues varied with locale, but its intent was to give the servant a stake to start out on his own. In 1640, Maryland law required a freedom dues of "one good cloth suit of kersey or broadcloth, a shift of white linen, one new pair of stockings and shoes, two hoes, one axe, 3 barrells of corne and fifty acres of land. . . ." Land as part of the freedom dues was an important incentive for immigration, but as the more desirable tracts were taken up in populated areas, the promise of acreage virtually ended except for wilderness or scrub land. In 1683, the Maryland law dropped the land requirement. In Virginia, a 1748 law gave freed servants a freedom dues of three pounds, ten shillings. The tendency toward cash increased as the colonies prospered.

With his freedom dues, the former servant could make his way in the colonies as a hired laborer or even as a landowner. No stigma attached to his past bondage; with diligent hard work he could become as prosperous and respected as any settler who had paid his own way from Europe with cash. Those who had been lazy and dishonest in Europe before they were bound out probably continued to be so after they were free. Former convicts often ended up on American rather than English gallows, but many others became distinguished citizens and property holders. Seven burgesses in the Virginia assembly of 1629 had been indentured servants, as had fifteen members of the 1637 Maryland Assembly. Charles Thomas, later to serve as Secretary of the Continental Congress, started his American life in bondage, as did Matthew Thornton, a signer of the Declaration of Independence for the colony of New Hampshire. Like many other Americans who could trace their roots to humble beginnings, they had bought their dreams with the most precious commodity they owned: themselves.